

### **REMARKS/ARGUMENTS**

Claims 86, 87, 91-94, 96 and 97 were pending in this application. According to the June 4, 2003 Office Action, claims 86, 87, 91-94, 96 and 97 were rejected. Applicants have amended claims 86 and 87. Accordingly, claims 86, 87, 91-94, 96 and 97 are under consideration. Applicants maintain that the amendments do not introduce any new matter.

#### **Rejection under 35 U.S.C. §112**

The Examiner rejected claims 86, 87, 91-94, 96 and 97 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

In response, Applicants have amended claims 86 and 87 to correct for the lack of antecedent basis as suggested by the Examiner. Accordingly, the Examiner is kindly requested to withdraw this rejection.

#### **Rejection under 35 U.S.C. §103**

The Examiner rejected claims 86, 91, 93 and 96 under 35 U.S.C. §103(a) as allegedly being unpatentable over Koke et al. in view of Ray et al.

In response, Applicants respectfully traverse the Examiner's rejection. Nonetheless, and in order to expedite the prosecution of this application, Applicants have amended claim 3 to indicate that the claimed vector must contain at least two transcription cassettes, each cassette having said control region and said coding region. Applicants note that the presence of a plurality of transcription cassettes is not taught or suggested by the prior art. Accordingly, the Examiner is kindly requested to withdraw this rejection.

In light of the foregoing, it is respectfully submitted that this application is now in condition to be allowed and the early issuance of a Notice of Allowance is respectfully solicited.

If there are any issues or amendments the Examiner wishes to discuss, the Examiner is encouraged to contact the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 30, 2003:

Charles C. Achkar

Name of applicant, assignee or  
Registered Representative

  
Signature

September 30, 2003

Date of Signature

Respectfully submitted,

  
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